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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/890,596

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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT

PAPER NUMBER

2157

MAIL DATE

DELIVERY MODE

07/10/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/890,596

Applicant(s)

VAN ELSAS ET AL.

Examiner

Hussein A. El-chanti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to RCE received on May 21, 2007. Claim 5 was amended. Claims 5-8 are pending examination.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 recites the limitation "his own corresponding one" in line 5. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Koreeda et al., U.S. Patent No. 5,781,731 (referred to hereafter as Koreeda).

As to claim 5, Koreeda teaches a hierarchically-structured personal agent system within a computer system, the personal agent system comprising:

a personal assistant sub-system having a plurality of personal assistants, each one of said personal assistants being arranged to perform tasks for one different user in

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a plurality of users (see col. 7 lines 49-col. 8 lines 12, plurality of agents associated with each user);

at least one service agent sub-system comprising a plurality of personal service agents, each one of said personal service agents being arranged for carrying out a specific sub-task for an associated one of said personal assistants and for only the associated one of said users who is served by said associated one personal assistant (see col. 7 lines 49-col. 8 lines 12, plurality of agents wherein each is performs different functionality such as conference sponsor, scheduling and appointments); and

a coordinating sub-system comprising at least one coordination processor for mutual coordination of actions of said personal service agents for different ones of users (see col. 8 lines 2-41, the conference sponsor agent that is hosting the conference communicates with all the other schedule management agents to coordinate the conference);

wherein, in order to restrict flow of user information within the personal agent system, said one user only communicates with said one of the personal assistants, the personal assistants for different ones of the users communicate only through their corresponding ones of the personal service agents, and the personal service agents associated with all of the personal assistants communicate amongst themselves only through the coordinating subsystem (see col. 8 lines 2-41, the agents of the devices communicate through the conference sponsor agent of the user that is setting up the conference).

As to claim 6, Koreeda teaches the personal agent system according to claim 5 further comprising a central control unit having addresses of said personal assistants, said personal service agents and the processing part and arranged for connecting each one of the users to his own corresponding one of the personal assistants (see col. 9 lines 1-65).

As to claim 7, Koreeda teaches the personal agent system according to claim 5 wherein said one personal assistant comprises means for adjusting said one personal assistant to behavior of said one user (see col. 8 lines 35-45 and col. 11 lines 22-45).

As to claim 8, Koreeda teaches the personal agent system according to claim 5 wherein. each one of the personal service agent comprises means for adjusting said one personal service agent to behavior of said one user (see col. 8 lines 35-45 and col. 11 lines 22-45).

### ***Response to Arguments***

3. Applicant's arguments have been fully considered but are not persuasive. Applicant argues in substance that Koreeda does not teach a coordinating subsystem for mutual coordination between all the service agents and wherein said plurality of agents communicate only through the coordinating subsystem.

In response, Koreeda teaches a system and method for setting up conferences between a plurality of users using plurality of agents associated with each user (see abstract). Koreeda also teaches the system and method also includes a user capable of setting up a conference where the said user uses his/her own conference sponsor agent communicate with the conference management agent of each of the other users

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that are invited to the conference to determine their schedule (see col. 8 lines 2-44).

The user agent that is setting up the conference is interpreted by the examiner to be the coordinating subsystem where the agents of other users invited to the conference send the information to the sponsor of the conference to check for conflicts between schedules, i.e. the agents of the plurality of users communicate using the coordinating subsystem. Therefore Koreeda teaches the invention as claimed.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A. El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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